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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/589,731

Filing Date

August 17, 2006

First Named Inventor

Marnix GHESQUIERE

Art Unit

3765 (Confirmation No. 9547)

Examiner Name

Unassigned

Attorney Docket Number

GHES3001/JEK

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
  
☐ Certified Copy of Priority Document(s)  
☐ Reply to Missing Parts/ Incomplete Application  
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☒ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
☐ Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify below):  
- Copy of Receipt Card of 5/14/07; Copy of Check for \$130.00; Copy of Transmittal 5/14/07; Copy of Notice of Missing Requirements; Copy of Declaration

**Remarks**

Please debit or credit Deposit Account Number 02-0200 for any deficiency or surplus in connection with this communication.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Bacon &amp; Thomas, PLLC

Signature

/J. Ernest Kenney/

Printed name

J. ERNEST KENNEY

Date

June 16, 2008

Reg. No.

19,179

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of:

Application No.: 10/589,731 Examiner: Unassigned

Filing Date: August 17, 2006 Art Unit: 3765

First Inventor: Marnix GHESQUIERE Customer No.: 23364

Attorney No.: GHES3001/JEK Confirmation No.: 9547

For: SELVEDGE FORMING APPARATUS, WEAVING MACHINE  
WITH A SELVEDGE FORMING APPARATUS AND METHOD  
FOR FORMING A SELVEDGE

**PETITION TO MOVE RESPONSE TO CORRECT APPLICATION NUMBER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: OFFICE OF PETITIONS  
PCT Legal Administration

Sir:

During a routine status check, it was observed that a response to the Notification of Missing Requirements mailed April 16, 2007 in the above application was not scanned into the file of the application. Upon closer review, it was observed that the cover transmittal sheet transmitting the response inadvertently contained a typographical error in the application number assigned to this application. Specifically, the cover sheet identified the application number as 10/589,831 instead of 10/589,731. Notably, the confirmation number 9547 was properly identified on the transmittal cover sheet.

Moreover, a copy of the Notification of Missing Requirements under 35 U.S.C. 371 was properly appended to the response, such notification including the correct application number assigned to this application as well as the confirmation number.

In support of this petition, Applicant submits herewith true copies of the following documents:

1. Receipt card showing deposit on May 14, 2007 at the mailroom of the Office of (a) transmittal letter; (b) Notice to File Missing Requirements; (c) Declaration; and (d) check for \$130.00.

2. Check No. 52314 payable to U.S. PTO in the amount of \$130.00 showing Application No. "10/589,731 – Late Dec Fee".
3. Transmittal letter dated May 14, 2007 over signature of the undersigned attorney of record, showing incorrect application number but correct confirmation number.
4. Notice of Missing Requirements mailed April 16, 2007 in Application No. 10/589,731.
5. Signed declaration for application identified at PCT/EP2005/002233 (of which this application is the U.S. National Stage).

It is respectfully submitted that the inadvertent identification of the application number should have been noticed by the Office in view of the use of the correct confirmation number on the transmittal letter and furthermore in view of the proper identification of the application number on all of the other documents accompanying the papers filed May 14, 2007 and that transfer of the documents to the correct application is appropriate.

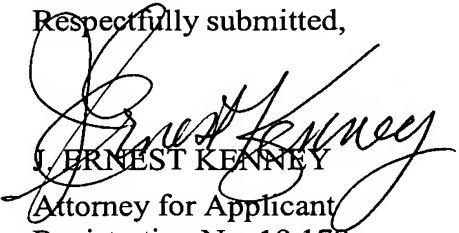
Accordingly, petitioner requests that the documents filed in response to the Notice of Missing Requirements submitted May 14, 2007 should be moved to the correct Application No. 10/589,731 without further delay.

In the event that a Notice of Abandonment has been transmitted to Applicant before a decision is reached on this petition, this petition may be considered as a request to withdraw the Notice of Abandonment and to reinstate the application without cost to Applicant.

In the event that any fee may be required in connection with this petition, the Office is authorized to charge such fees to Deposit Account 02-0200. It is respectfully submitted, however, that no fee should be charged in connection with this matter, considering that the proper confirmation number assigned to this application was shown on the paper that contains the incorrect number of the application, thereby alerting the Office that there was an inconsistency requiring further review that would have clearly revealed the correct application number.

BACON & THOMAS, PLLC  
625 Slaters Lane, 4<sup>th</sup> Floor  
Alexandria, VA 22314-1176  
Phone: (703) 683-0500  
Facsimile: (703) 683-1080  
Date: June 16, 2008

Respectfully submitted,

  
I, ERNEST KENNEY  
Attorney for Applicant  
Registration No. 19,179



COPY

**BACON & THOMAS**

625 Slaters Lane 4th Fl., Alexandria, VA 22314

**PATENT APPLICATION  
(PENDING)**

**Due Date:** June 16, 2007

**Serial No:** 10/589,731

**Filed:** August 17, 2006

**Attorney:** GHES3001/JEK

**Applicant(s):** Marnix GHESQUIERE et al

☒ MAILROOM ☐ ART UNIT ☐

Special Instructions:

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The PTO stamp hereon acknowledges receipt of:

- ☒ Document Transmittal
- ☒ Notice to File Missing Requirements
- ☒ Declaration
- ☒ Check in the amount of \$130 (\$130 - Late Declaration Surcharge Fee)



Filed By: JEK/kk

Date: May 14, 2007

mp

COPY

BACON & THOMAS 7-86 COMMISSIONER OF PATENTS ACCOUNT 625 SLATERS LANE PH. 703-883-0500 ALEXANDRIA, VA 22314		52314
DATE <u>5-14-07</u>		68-54/514 BRANCH 97735
PAY TO THE ORDER OF	DIRECTOR OF THE UNITED STATES PATENT & TRADEMARK OFFICE	
<u>One Hundred Thirty</u>		\$ <u>130.</u>
<u>00</u>		DOLLARS
WACHOVIA Wachovia Bank, N.A. wachovia.com		Security Features Look for the Wachovia Logo
FOR <u>10/589.731-Late Fee</u>		
<u>Ammaire Dykes</u>		
⑈052314⑈ ⑈051400549⑈206520282409⑈		MP

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application  
Marnix GHESQUIERE et al

Confirmation No. 9547

Serial Number: 10/589,831

Group Art Unit: Unassigned

Filed: August 17, 2006

Examiner: Unassigned

Attorney Docket No. GHES3001/JEK

For: SELVEDGE FORMING APPARATUS, WEAVING MACHINE WITH A  
SELVEDGE FORMING APPARATUS AND METHOD FOR FORMING A  
SELVEDGE

MAIL STOP MISSING REQUIREMENTS  
COMMISSIONER OF PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

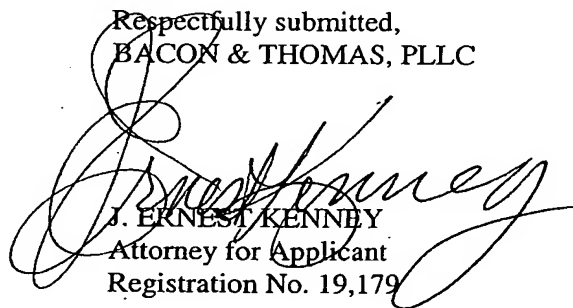
Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

- ☒ Notice to File Missing Requirements
- ☒ Declaration
- ☒ Check in the amount of \$130 (\$130 - Late Declaration Surcharge Fee)
- ☒ Please debit or credit **Deposit Account Number 02-0200** for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

BACON & THOMAS, PLLC  
Customer **23364**  
625 Slaters Lane - 4<sup>th</sup> Floor  
Alexandria, VA 22314-1176  
Telephone: (703) 683-0500  
Facsimile: (703) 683-1080

Respectfully submitted,  
BACON & THOMAS, PLLC



J. ERNEST KENNEY  
Attorney for Applicant  
Registration No. 19,179

Date: May 14, 2007

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/589,731

FIRST NAMED APPLICANT

Mamix Ghesquiere

ATTY. DOCKET NO.

GHES3001/JEK

INTERNATIONAL APPLICATION NO.

PCT/EP05/02233

I.A. FILING DATE

03/03/2005

PRIORITY DATE

03/05/2004

23364

BACON & THOMAS, PLLC  
 625 SLATERS LANE  
 FOURTH FLOOR  
 ALEXANDRIA, VA 22314

Date 4/17/07 Atty JEK  
 Action Due Missing Rep'ts.  
 Deadline 6/16/07  
 Final Deadline 11/16/07  
 Based on \_\_\_\_\_

CONFIRMATION NO. 9547

371 FORMALITIES LETTER



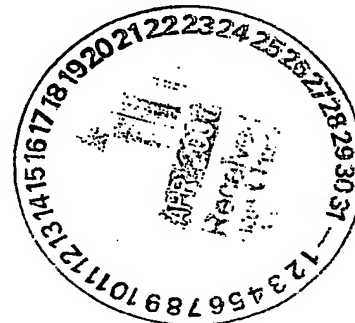
\*OC000000023388828\*

Date Mailed: 04/16/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/17/2006
- Copy of the International Search Report filed on 08/17/2006
- Preliminary Amendments filed on 08/17/2006
- Information Disclosure Statements filed on 08/17/2006
- Request for Immediate Examination filed on 08/17/2006
- U.S. Basic National Fees filed on 08/17/2006
- Priority Documents filed on 08/17/2006
- Specification filed on 08/17/2006
- Claims filed on 08/17/2006
- Abstracts filed on 08/17/2006
- Drawings filed on 08/17/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,731	PCT/EP05/02233	GHES3001/JEK